

SPECIAL TOWN MEETING

November 8, 2010

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The Special Town Meeting convened at 7:32 p.m. in the Bedford High School Auditorium. A quorum of one hundred and thirteen registered voters was present. The Town Clerk read the return of service. The Moderator stated she completed knee surgery. Please come onto the stage if you need to see her. The Moderator stated the rules of Town Meeting are as follows: The Moderator must recognize all voters before speaking. Voters must come to the microphone to be recognized. The voter must give their name and address when speaking. A voter may not speak more than twice on a debate without specific permission from the Moderator except to correct a statement. Questions do not fall under that rule. Amendments should be in writing for the Town Clerk and Moderator. The debate should be kept within the scope of the motion. Questions are directed through the Moderator. No booing or clapping. The Moderator stated to take cell phone calls outside. A purple slip is required tonight for voting. If the voter did not receive one at check-in, they need to stop by check-in.

The Moderator named the tellers for the evening: Lois Chase, Peter Donahue, Rosemary Dyer, Michele Ferland and Janet Schimelfenyg.

The Moderator stated that Sue Baldauf will introduce America's Promise to present the award. The America's Promise representative presented the Selectmen with the award for 100 Best Communities for Young People.

Superintendent LaCroix presented the findings of the enrollment study.

Anne Bickford presented a report from the Strategic Communications Group.

Article 1

Debate Rules

Michael Rosenberg made the following motion and the motion was seconded.

Voted, that the Town adopt the following procedure for the current Special Annual Town Meeting:

- A. A speaker presenting an article or amendment to an article shall be limited to ten (10) minutes;
- B. Other speakers shall be limited to five (5) minutes;
- C. No article shall be presented after 10:45 p.m.;
- D. Town Meeting by majority vote may waive A, B, or C;

RECOMMENDATIONS:

Selectmen: Recommended approval

Finance Committee: Recommended approval

Moderator declared motion adopted by two-thirds vote.

Article 2

General Bylaw Amendment

Walter St. Onge made the following motion and the motion was seconded.

Voted, that the Town adopt Article 2 so as to amend the Town of Bedford General Bylaws, Article 42 Beggars, Solicitors & Pedlars, Section 42.7:

Current

42. 7 Suspension or Revocation of Registration Certificate

The Chief of Police shall notify the Board of Selectmen of the suspension or revocation of any registration certificate issued under this Bylaw.

Proposed

42. 7 Suspension or Revocation of Registration Certificate Notification

The Chief of Police shall notify the Board of Selectmen of the suspension or revocation of any registration certificate issued under this Bylaw.

RECOMMENDATIONS

Selectmen:	Recommended approval
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Finance Committee:	Recommended approval
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Moderator declared this motion adopted unanimously.

Catherine Cordes presented a brief report on behalf of the Community Preservation Committee.

The Moderator stated a voter may place a hold on any line item for Article 3.

Article 3

Amend Fiscal Year 2011 Community Preservation Budget

Catherine Cordes made the following motion and the motion was seconded.

Voted, that the Town amend the Fiscal Year 2011 Community Preservation appropriations voted under Article 19 of the 2010 Annual Town Meeting utilizing FY11 Community Preservation Funds unless otherwise specified as follows:

6. Land Acquisition - amend by reducing the previous appropriation of \$533,185 by the amount of \$164,814 to a revised appropriation of \$368,371; and in so doing maintaining the previous transfer of \$133,185 from CPA Open Space reserves;

10. Sidewalk Project - amend by reducing the previous appropriation of \$200,000 by the amount of \$100,000 to a revised appropriation of \$100,000;

12. Town Center North Wing (bond payment) - amend by increasing the previous appropriation

of \$4,984 by the amount of \$36,020 to a revised appropriation of \$41,004;

14. Recreation Reserves - amend by reducing the previous appropriation of \$150,000 by the amount of \$100,000 to a revised appropriation of \$50,000;

16. 350A Concord Road (bond payment) - add this new appropriation of \$128,794.

RECOMMENDATIONS

Selectmen: Recommended approval

Finance Committee: Recommended approval

Community Preservation Committee: Recommended approval

Moderator stated there were no holds. Moderator declared motion adopted unanimously.

Article 4

Community Preservation Surcharge - Effective July 1, 2011

Catherine Cordes made the following motion and the motion was seconded.

Voted, that the Town reconfirm a property tax surcharge of three percent of the taxes assessed annually on real property which shall be dedicated to the Community Preservation Fund, such surcharge to be imposed on taxes assessed for fiscal years beginning on or after July 1, 2011.

RECOMMENDATIONS

Selectmen: Recommended approval

Finance Committee: Recommended approval

Community Preservation Committee: Recommended approval

Moderator declared motion adopted.

Article 5

Acceptance of Hartwell Road Rights-of-Way

Mark Siegenthaler made the following motion and the motion was seconded.

Voted, that the Town authorize the Selectmen to acquire by gift, purchase or eminent domain parcels of land, or any interest in land, to construct, expand, maintain and repair the way known as Hartwell Road as shown on a plan entitled "Plan of Land, Hartwell Road, Bedford, MA" prepared on August 19, 2010 by Marchionda & Associates, L.P., Engineering and Planning Consultants, 62 Montvale Avenue, Suite 1, Stoneham, MA 02180 and a copy on file in the office of the Town Clerk.

RECOMMENDATIONS

Selectmen: Recommended approval

Finance Committee: Recommended approval

Moderator declared motion adopted unanimously.

Article 6

Acceptance of Hartwell Farms Gift of Land

Walter St. Onge made the following motion and the motion was seconded.

Voted, that the Town authorize the Selectmen to acquire by gift, purchase or eminent domain, a parcel of land consisting of 5.003 acres +/- identified as Lot 2 on a plan entitled "Plan of Land, Hartwell Road, Bedford, MA" prepared on August 11, 2010 by Marchionda & Associates, L.P., Engineering and Planning Consultants, 62 Montvale Avenue, Suite 1, Stoneham, MA 02180, said plan having been endorsed by the Planning Board on September 7, 2010 as not requiring approval under Subdivision Control Law and a copy filed in the office of the Town Clerk.

RECOMMENDATIONS

Selectmen: Recommended approval

Finance Committee: Recommended approval

Moderator declared the motion adopted unanimously.

Article 7

Rescind Prior Bond Authorizations

Michael Rosenberg made the following motion and the motion was seconded.

Voted, that the Town rescind the following remaining, unborrowed amounts from the following bond authorizations, for which the projects have been completed and no further borrowings are required:

Article

Purpose

Original Authorization

Amount to be Rescinded

Article 2 of the July 2, 2001 Special Town Meeting
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John Glenn Middle School Supplemental Appropriation and Bond Authorization
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\$3,707,000

\$229

Article 5 of the 2006 Annual Town Meeting

High School Renovations and Additions

\$48,135,330

\$827,763

Article 16 of the 1999 Annual Town Meeting

Land Acquisition Fund

\$500,000

\$4,000

RECOMMENDATIONS

Selectmen:

Recommended approval

Finance Committee: Recommended approval

Moderator declared the motion adopted unanimously.

Article 8

Bond Premium Stabilization Fund Appropriation

Michael Rosenberg made the following motion and the motion was seconded.

Voted, that the Town appropriate \$518,720 to the Bond Premium Stabilization Fund created under Article 11 of the November 9, 2009 Special Town Meeting, such amount representing the balance of the premium after payment of an allocable portion of underwriter's discount and costs of issuance, received from the sale of the \$11,177,000 portion of the Town's General Obligation Municipal Purpose Loan of 2010 Bonds dated July 15, 2010 (the "Bonds") issued for the financing of the high school project authorized pursuant to a vote of the Town passed March 27, 2006 (Article 5), the debt service of which was excluded from the limitations of Proposition 2½ on April 8, 2006; such amount in the Stabilization Fund to be used for the annual payment of a portion of the interest on the bonds in order to offset the reduction in interest excluded from Proposition 2½ pursuant to M.G.L. Ch. 44, § 20.

RECOMMENDATIONS

Selectmen: Recommended approval

Finance Committee: Recommended approval

Moderator declared this motion adopted unanimously.

Article 9

FY11 Operating Budget Amendments

Thomas Busa made the following motion and the motion was seconded.

Voted, that the Town amend the sums appropriated under Article 24 of the 2010 Annual Town Meeting, Operating Budgets - Fiscal Year 2011, for expenditures by officers, boards, committees, and for the Reserve Fund in the fiscal year beginning July 1, 2010, by amending the following specified accounts with the following revised amounts:

Account #1303 Principal & Interest -

amend by reducing the Non Exempt Principal segregation by \$726,057 for a revised segregation of \$1,712,654;

further amend by reducing the Non Exempt Interest segregation by \$595,144 for a revised segregation of \$621,181;

further amend by reducing the Exempt Interest segregation by \$21,624 for a revised

segregation of \$1,737,147;

further amend by increasing the CPA Debt Costs segregation by \$164,813 for a revised segregation of \$484,835;

further amend by increasing the CPA Fund transfer by \$164,813 for a revised transfer of \$484,835; and

further amend by striking the transfer of \$105,772 from the Debt Stabilization Fund and replacing it with a transfer of \$133,816 from the Bond Premium Stabilization Fund.

RECOMMENDATIONS

Selectmen: Recommended approval

Finance Committee: Recommended approval

Moderator declared motion adopted unanimously meeting the two-thirds requirement.

Michael Rosenberg made a motion to adjourn the Special Town Meeting sine die. The Moderator declared the motion passed. The Special Town Meeting adjourned at 8:47 PM.

